

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

**KENYON JOHNSON and
XAVIEN JOHNSON**

PLAINTIFFS

v.

CIVIL ACTION NO. 4:17-CV-60-MPM-RP

FLOYD T. BAILEY

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATIONS

On consideration of the file and records in this action, the Court finds that the report and recommendation of the United States Magistrate Judge dated July 7, 2017, was on that date served via electronic mail through the court's CM/ECF system upon Plaintiff Kenyon Johnson and mailed to Plaintiff Xavien Johnson; more than fourteen days have elapsed since service of the report and recommendation; and no objection has been filed or served by the parties. The Court is of the opinion that the report and recommendation should be approved and adopted as the opinion of the Court.

It is, therefore, **ORDERED**:

1. That the report and recommendation of the United States Magistrate Judge dated July 7, 2017, is approved and adopted, and the proposed findings of fact and conclusions of law therein set out are adopted as the findings of fact and conclusions of law of the Court.

2. Plaintiffs' motion to proceed *in forma pauperis* is **DENIED**. Plaintiffs are allowed fourteen (14) days from the date of this Order to pay the standard civil filing fee of \$400.00. Failure to comply with this Order and pay the filing fee will result in dismissal of Plaintiffs'

Complaint under Federal Rule of Civil Procedure 41(a) without further notice to Plaintiffs.

SO ORDERED, this the 1st day of August, 2017.

/s/ MICHAEL P. MILLS
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF MISSISSIPPI